Remarks/Arguments:

Claims 1-30 are pending in the above-identified application.

Claims 1, 3, 5, 7, 19, 21, 22 and 30 were rejected under 35 U.S.C. § 103(a) as being unpatentable in view of Shaw et al. and Miloslavsky. This ground for rejection is overcome by the amendments to claims 1, 5, 21 and 30. In particular, neither Shaw et al., Miloslavsky nor their combination disclose or suggest:

> means for selecting, from a directory of one or more agents, an agent that has a capability to process electronic messages that belong to said at least one message class by providing a response in respect of said at least one message class; [and]
>
> means for receiving from said selected agent a signal indicating that said electronic message is processed and that a response to said message is provided in respect of said at least one message class;
>
> wherein, upon receipt of said signal, the distributing apparatus is arranged to determine, from said database, if said set includes one or more message classes in respect of which said electronic message is not processed and, in response to determining that said electronic message has not been processed in respect of one or more message classes in said set, is arranged to select a further agent

as set forth in claim 1, claims 5, 21 and 30 include similar recitations. Basis for these amendments may be found in the specification at page 23, line 11 through page 27, line 2.

Shaw concerns a system for handling enterprise e-mail. The system classifies incoming e-mail messages into categories, where each category specifies a set of additional actions that should be performed on the e-mails in that category. (See col. 6, lines 50-57) This system assigns an e-mail message to a single mailbox or queue (see col. 9, lines 30-34). As acknowledged in the Office Action, Shaw does not disclose or suggest receiving any message from an agent - including a signal that a response has been provided - and then determining whether the received message needs further processing and, if it does, assigning it to yet another agent.

Furthermore, Miloslavsky does not disclose or suggest these limitations of claims 1, 5, 21 and 30. In the Office Action, it is asserted that Miloslavsky, at col. 5, lines 27-36, discloses:

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> means for receiving from said selected agent, a signal indicating that said
> electronic message is processed; wherein, upon receipt of said signal, the
> distributing apparatus is arranged to determine, from said database, if said set
> includes one or more message classes in respect of which said electronic message
> is not processed and, in response to determining that said electronic message has
> not been processed in respect to one or more message classes in said set, is
> arranged to select a further agent to which to cause said electronic message to be
> rendered,....

Applicant respectfully disagrees with this assertion, At col. 5, lines 27-36, Miloslavsky
recites:

> Upon receiving the e-mail, the support person processes the e-mail using
> computer 122. If there is a need to send a reply, the support person writes the
> reply (step 162), and directs e-mail server 102 to deliver the reply to a recipient
> connected to data network 104 (step 164).
>
> In addition to providing basic routing function, router 116 may also have a
> strategy to handle exception situations. For example, if an incoming mail is not
> answered by the selected support person within a predetermined time interval
> (e.g., three days), the mail is re-routed to another qualified and available support
> person.

This passage states that when a message has **not** been processed after a predetermined
time interval it is routed to another available support person. This does not meet the limitation
of claims 1, 5, 21 and 30 as originally filed and, thus, can not meet the limitation of the
amended claim. As amended, Claims 1, 5, 21 and 30 all require that a message be processed
and a response provided before it is determined whether the message still needs to be
processed in a class. Thus, the amendment does not change the scope of the claim but merely
clarifies that the message is processed by the first selected agent before any determination is
made as to whether it needs further processing. Thus, the amendment does not affect the
scope of the claim but only clarifies the requirement in the original claim that the message be
processed by the agent.

Because neither Shaw et al., Miloslavsky nor their combination disclose or suggest this
limitation of claims 1, 5, 21 and 30, these claims are not subject to rejection under 35 U.S.C. §
103(a) in view of Shaw et al. and Miloslavsky. Claim 3 depends from claim 1, claim 7 depends
from claim 5 and claim 22 depends from claim 21. Therefore, these claims are not subject to
rejection under 35 U.S.C. § 103(a) in view of Shaw et al. and Miloslavsky for at least the same
reasons as their base claims.

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Claims 2, 4, 6, 8 and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable in view of Shaw et al., Miloslavsky and Sassin et al. Shaw et al. and Miloslavsky are described above. Sassin et al. concerns a system for responding to multimedia communications based on content analysis. Like Shaw et al. and Miloslavsky, Sassin et al. do not disclose or suggest the limitations set forth above with regard to the rejection of claims 1, 5 and 21. from which claims 2, 4, 6, 8 and 23 variously depend.

Sassin et al, at column 7, lines 20-41 disclose that each incoming message is analyzed to determine a "'best fit' between the communications-handling skills identified at the content analyzer 30 and 32 and the connectivity options available to the system. In the preferred embodiment, the system is an ACD system and the 'best fit' is a determination of the appropriate ACD agent for handling the communication." Sassin et al. do not disclose or suggest that, once a message has been processed by one agent, it is analyzed to determine if the message "has not been processed in respect of one or more message classes in said set," as required by claims 1, 5 and 21. Accordingly, Sassin et al. do not provide the material that is missing from Shaw et al. and Miloslavsky. Accordingly, claims 1, 5 and 21 as well as claims 2, 4, 6, 8 and 23 which variously depend from them, are not subject to rejection under 35 U.S.C. § 103(a) in view of Shaw et al., Miloslavsky and Sassin et al.

Claims 9-11, 14-16, 24, 25 and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable in view of Shaw et al., Miloslavsky and Hall. This ground for rejection is overcome by the amendments to claims 5 and 21 from which claims 9-11, 14-16, 24, 25 and 28 variously depend. Shaw et al. and Miloslavsky are described above. Hall concerns a knowledge-based moderator for electronic e-mail help lists. Like Shaw et al. and Miloslavsky, Hall does not disclose or suggest the limitations set forth above with regard to the rejection of claims 5 and 21. from which claims 9-11, 14-16, 24, 25 and 28 variously depend.

Hall, at column 8, lines 30-43 disclose that if a user had a question that was not adequately addressed, by the moderator's knowledge repository, the message is assigned to a thread identifier and forwarded to all list members for a response. Thus, Hall, like Miloslavsky merely states that if a message is *not* processed it is sent to other list members. This does not, however, meet the limitations of claims 5 and 21 which require that, once a message has been processed by one agent and a response has been provided, it is analyzed to determine if the

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message "has not been processed in respect of one or more message classes in said set."
Accordingly Hall does not provide the material that is missing from Shaw et al. and Miloslavsky.
Thus, claims 5 and 21 as well as claims 9-11, 14-16, 24, 25 and 28 which variously depend
from them, are not subject to rejection under 35 U.S.C. § 103(a) in view of Shaw et al.,
Miloslavsky and Hall.

Claims 12, 13, 17, 26, 27 and 29 were rejected under 35 U.S.C. § 103(a) as being
unpatentable in view of Shaw et al., Miloslavsky Hall and Angotti et al. This ground for
rejection is overcome by the amendments to claims 5 and 21 from which claims 12, 13, 17, 26,
27 and 29 variously depend. Shaw, Miloslavsky and Hall are described above. Angotti et al.
concerns an automatic message interpretation and routing system. Angotti et al. disclose a
message processing system that compares received messages to stored case models by
matching and weighting features and selects the "'best' stored case model" for the message.
(See col. 8, lines 38-59). "Once a best store case model has been identified the automatic
message reader 30 infers that the same or similar action that was taken on the E-mail of the
stored case model 37 should be taken on the E-mail message 11 which produced the presented
case model." (Col. 9, lines 1-5). This does not, however, meet the limitations of claims 5 and
21 which require that, once a message has been processed by one agent and a response has
been provided, it is analyzed to determine if the message "has not been processed in respect of
one or more message classes in said set." Accordingly Angotti et al. do not provide the material
that is missing from Shaw et al., Miloslavsky and Hall. Thus, claims 5 and 21 as well as claims
12, 13, 17, 26, 27 and 29 which variously depend from them, are not subject to rejection under
35 U.S.C. § 103(a) in view of Shaw et al., Miloslavsky, Hall and Angotti et al.

Claim 18 was rejected under 35 U.S.C. § 103(a) as being unpatentable in view of Shaw
et al., Miloslavsky and Armstrong. This ground for rejection is overcome by the amendments to
claim 5 from which claim 18 depends. In particular, neither Shaw et al., Miloslavsky nor
Armstrong disclose or suggest:

> means for selecting, from said directory, an agent that has a capability to
> process electronic messages that belong to said at least one message class by
> providing a response in respect of said at least one message class; [and]
> means for receiving from said selected agent a signal indicating that said
> electronic message is processed and that a response to said message is provided
> in respect of said at least one message class;

      wherein, upon receipt of said signal, the distributing apparatus is arranged to determine, from said database, if said set includes one or more message classes in respect of which said electronic message is not processed and, in response to determining that said electronic message has not been processed in respect of one or more message classes in said set, is arranged to select a further agent to which to cause said electronic message to be rendered, which further agent has a capability to process messages which belong to one or more of said unprocessed message classes

As set forth in amended claim 5.

      Shaw et al. and Miloslavsky are described above. Armstrong concerns an electronic mail message processing and routing system. In the system disclosed by Armstrong, e-mail messages are routed based on keyword matching. Once an e-mail message has been parsed and keywords have been matched, the e-mail message is routed to an appropriate agent for appropriate processing. (See col. 9, lines 36-47). Armstrong does not disclose or suggest any further processing of the e-mail once it has been assigned to an agent. Thus, Armstrong does not meet the limitations of claim 5 which requires that, once a message has been processed by one agent and a response has been provided, the message is analyzed to determine if it "has not been processed in respect of one or more message classes in said set." Accordingly Armstrong does not provide the material that is missing from Shaw et al. and Miloslavsky. Thus, claim 5 and claim 18 which depends from it are not subject to rejection under 35 U.S.C. § 103(a) in view of Shaw et al., Miloslavsky, and Armstrong.

      Claim 20 was rejected under 35 U.S.C. § 103(a) as being unpatentable in view of Shaw et al., Miloslavsky and Official Notice taken by the Examiner. This ground for rejection is overcome for the same reasons as cited above with regard to the rejection of claim 5 under 35 U.S.C. § 103(a) in view of Shaw et al. and Miloslavsky. The Official Notice is cited only for the use of SMS messages. Accordingly, it does not relate to the material that is missing from Shaw et al. and Miloslavsky, as described above. Thus, claim 20 is not subject to rejection in view of Shaw et al., Miloslavsky and the Official Notice taken by the Examiner for at least the same reasons that claim 5 is not subject to rejection under 35 U.S.C. § 103(a) in view of Shaw et al. and Miloslavsky.

      The prior art cited but not relied upon has been considered but does not affect the patentability of any of the claims.

In view of the foregoing amendments and remarks, Applicant requests that the Examiner reconsider and withdraw the rejection of claims 1-30.

Respectfully submitted,

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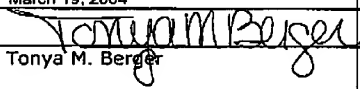Attorney(s) for Applicant(s)

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March 19, 2004

Tonya M. Berger